



California Regulatory Notice Register

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JULY 18, 2003

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

ADOPTION

MULTI-COUNTY:

State Water Project Contractors Authority

AMENDMENT

MULTI-COUNTY:

Dublin San Ramon Services District

A written comment period has been established commencing on **July 18, 2003** and closing on **September 1, 2003**. Written comments should be directed to the Fair Political Practices Commission, Attention Teri Rindahl, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **September 1, 2003**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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CONFLICT OF INTEREST CODES

AMENDMENT

STATE AGENCIES:

California Department of Aging
California Commission on Aging

A written comment period has been established commencing on **July 18, 2003** and closing on **September 1, 2003**. Written comments should be directed to the Fair Political Practices Commission, Attention **Trish Mayer**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **September 1, 2003**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the

codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to **Trish Mayer**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Trish Mayer**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3423, subsection (b), of the regulations in Title 3 of the California Code of Regulations pertaining to Oriental Fruit Fly Interior Quarantine as an emergency action that was effective June 12, 2003. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than October 10, 2003.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before September 1, 2003.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

Existing Section 3423 established an interior quarantine against Oriental fruit fly, provided that portions (approximately 58 square miles) of Los Angeles and Orange counties surrounding the La Mirada area are under quarantine for Oriental fruit fly, set forth the hosts, restricts the movement of hosts and possible carriers of Oriental fruit fly from the area under quarantine and provided for special permits to allow movement of articles and commodities otherwise prohibited. This amendment of Section 3423(b) removed the quarantine area for Oriental fruit fly surrounding the La Mirada area of Los Angeles and Orange counties. The effect of the amendment is to remove authority for the State to regulate movement of hosts and possible carriers of Oriental fruit fly within and from the area under quarantine because the fly has been eradicated from that area and the quarantine is no longer necessary for the protection of California's agricultural industry. The proposed action does not differ from any existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3423 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3423. No

reimbursement is required for Section 3423 under Section 17561 of the Government Code because this amendment removes the portion of Los Angeles and Orange counties that were in the area under quarantine from the regulation; therefore, enforcement is no longer necessary.

There are no mandated costs associated with the removal of this area (La Mirada) from the regulation.

The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department proposes to amend Section 3423(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Kris Peeples at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons is available upon request. Requests should be directed to the contact named herein.

If the regulations repealed by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of repeal. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED RULEMAKING

“Gambling Equipment Manufacturers or Distributors”

The California Gambling Control Commission (“Commission”) proposes to adopt the regulations

described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commission proposes to adopt Sections 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, and 12310 of Title 4 of the California Code of Regulations, concerning gambling equipment manufacturers or distributors.

PUBLIC HEARING

The Commission will hold a public hearing starting at 10:00 a.m. on Wednesday, September 10, 2003, at 2399 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833-4231. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period. To be considered for summary and response, all written comments must be received no later than 5:00 p.m., Wednesday, September 10, 2003 (the day of the public hearing).

Written comments for the Commission’s consideration should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-0490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions (“B & P”) Code sections 19800–19980. In particular, B & P Code sections 19801(g), 19823, 19824, 19827(a)(1), 19840, 19841(r), and 19864. Authority is also provided by Government Code section 15376 and Penal Code section 337j.

The reference citations are as follows: the proposed regulations implement, interpret, or make specific B & P Code sections 19805(b), 19841(r), 19930(c), 19951(a); Code of Civil Procedure section 2015.5; Government Code sections 15375 and 15376; Penal Code section 337j(e)(1); Chapter 24 (commencing with section 1171) of Title 15 of the United States Code; and Title 25 of the United States Code, section 2710.

INFORMATIVE DIGEST AND POLICY
STATEMENT OVERVIEW

Existing law (the Gambling Control Act) mandates the Commission to adopt regulations concerning the licensing of manufacturers and distributors of gambling equipment. While there are criminal penalties for unlawful manufacture and possession of slot machines, prior to the effective date of the emergency regulations on this topic (October 2002), there was no system for monitoring or oversight of slot machine trafficking in this state, other than transport notices required pursuant to the Tribal-State Gaming Compacts.

The proposed regulation creates a registration system for manufacturers or distributors of slot machines, requires periodic reports concerning among other things transactions involving slot machines and essential parts thereof, addresses related issues, and defines key terms.

DISCLOSURES REGARDING THE
PROPOSED ACTION

Mandate on local agencies and school districts: These regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: Except as noted below, these regulations will not result in significant costs or savings to any state agency, in any cost to any agency or school district, or in any nondiscretionary cost or savings to any local agency. Any costs associated with workload at the California Gambling Control Commission will be offset by revenue generated by fees.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local agencies: None

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: The cost impact of the proposed regulations is not expected to be significantly adverse. A representative private person or business who is in the business of manufacturing or distributing slot machines, who either (1) has a place of business in California or (2) deals with parties other than tribal gaming facilities would pay an annual registration fee of \$500; however, persons dealing solely in antique slot machine would pay a \$40 annual fee. Persons with no in-state place of business and whose business is limited to tribal gaming facilities would pay no annual registration fee.

Impact on Business: The Commission has made an initial determination that the proposed regulatory changes will not have a significant statewide adverse

economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: The Commission has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: The Commission has made an initial determination that the effect these regulations will have on small business will be minor. Some small manufacturing or distributing businesses will be required to pay a registration fee and submit quarterly reports to the Commission.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The purpose of the proposed regulations is to specify how a slot machine or device manufacturer can register with the State, and how to file reports concerning machines shipped from or to a location in the State of California. Requiring the filing of reports listing serial numbers will make it more difficult and risky to traffic in illegal slot machines. Moreover, the Commission has been unable to identify any alternative to the proposed regulation that achieves the objective. The Commission invites interested persons to present statements or arguments regarding alternatives to the proposed regulation at the public hearing or during the written comment period.

ASSESSMENT REGARDING CREATION OR
ELIMINATION OF JOBS IN CALIFORNIA

The Commission has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-0490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

Requests for a copy of the proposed text of the regulation, the initial statement of reasons, the

modified text of the regulation, if any, or other technical information upon which the rulemaking is based should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-0490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

Or:

Susie Hernandez, Regulations Analyst, Telephone: (916) 274-0688, FAX number: (916) 263-0499, e-mail shernandez@cgcc.ca.gov.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the *Initial* Statement of Reasons. A copy may be obtained by contacting the Regulations Coordinator at the address or telephone number listed above or accessing the Commission's website at <http://www.cgcc.ca.gov>. Upon its completion, the *Final* Statement of Reasons will be available and copies may be requested from the Regulations Coordinator or viewed on the website.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing, the Commission may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Commission adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of the Regulations Coordinator at the address indicated above. The Commission will accept written comments on the modified regulation for 15 days after the date on which it is made available.

TITLE 8. DEPARTMENT OF INDUSTRIAL RELATIONS

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Director of the Department of Industrial Relations proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Director of the Department of Industrial Relations adopted on an emergency basis on May 30, 2003 new sections 15220 through 15220.9, and amendments to sections 15210 through 15210.2, 15216 and 15430 of Title 8 of the California Code of Regulations in order to implement, interpret and make specific Labor Code section 3701.8, relating to new alternative composite deposit program for private self insurers of workers' compensation liabilities. The Director is now accepting written comments on the regulations.

The Department has not scheduled a formal public hearing on this proposed action. However, the Director will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to Office of Self Insurance Plans. The written comment period closes at 5:00 p.m. on September 1, 2003. The Department will consider only comments post marked or received at the Office of Self Insurance Plans by that date. Submit comments to:

Mark Johnson, Manager
Office of Self Insurance Plans
2265 Watt Avenue, Suite 1
Sacramento, CA 95825

AUTHORITY AND REFERENCE

Labor Code Sections 55 and 3702.10, authorizes the Director of Industrial Relations to adopt the proposed regulations, which would implement and make specific the provisions of Labor Code Sections 3700, 3701 and 3701.8.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

The Department of Industrial Relations proposes to adopt new sections 15220 through 15220.8 and to amend existing sections 15201, 15210, 15210.1, 15210.2, 15216 and 15430 in Title 8 of the California Code of Regulations. These sections provide for a new security deposit program for qualified private self insurers. This program will be known as the alternative composite deposit program. The proposal will require specific self insurers, as identified by the Office of Self Insurance Plans as eligible, to participate in the program. The program will require the eligible self insurer to secure its worker's compensation liabilities through the Self Insurers Security Fund (Fund). The self insurer will secure its liabilities through the payment of a deposit assessment to the Fund. The self

insurer participating in the program will no longer be required to post an individual security deposit for the portion of its liabilities covered by the Fund.

Existing Section 15201 provides definitions for commonly used terminology related to workers' compensation self insurance. This section will be amended to include definitions of "alternative security deposit" and "Security Fund."

Existing Sections 15210, 15210.1 and 15210.2 require all private self insured employers to post and maintain a security deposit in accordance with the provisions of Labor Code Section 3701. These sections will be amended to add references to the new alternative composite deposit program requirements and to provide authority for summary revocation of a certificate to self insure for failure to secure workers' compensation liabilities for 60 days.

Existing Section 15216 provides for administration of insolvent self insurers claims. This proposal will provide for calling the security deposit for a defaulting self insurer's liabilities secured by an alternative composite deposit with the Fund.

A new Section 15220 will establish participation criteria in the alternative composite deposit program. The proposal provides that the Manager of Self Insurance Plan will identify each eligible private self insured employer as a fully participating member, a partially participating member, or as excluded from participation. All self insurers identified as eligible for the program are required to participate in the alternative composite deposit.

A new section 15220.1 will identify a method for evaluating the financial status of each private self insurer companies without an annual independently, prepared financial statement or published credit rating. The section will establish a new form, A4-7, Financial Summary, for rating the financial stability of that self insurer. This section will require the private self insurer to provide the financial information needed to evaluate the company.

A new section 15220.2 will specify that Self Insurance Plans will annually develop a list of the security deposit amounts required for each self insurer designated for the alternative composite deposit program. This section will provide that a private self insurer that fails to file its Annual Report by April 1 of each year, shall be deemed to have twice the liabilities indicated on their prior year's Annual Report for the purpose of preparing the listing of required security deposits.

A new section 15220.3 will establish the Security Fund provisions for securing the liabilities covered by the Alternative Composite Deposit. This section requires the Security Fund to make a proposal in writing to the Manager of Self Insurance Plans and specifies the contents in the proposal.

A new section 15220.4 will establish three deposit assessments to be paid by the self insurer participating in the alternative composite deposit program. The assessment will be the Default Loss Fund Fee, Excess Liability Protection Fee, and the Pre-Existing Deposit Shortfall Fee.

A new Section 15220.5 will establish that the Security Fund is responsible for the collection of the assessments provided for in section 15220.4 and will also provide for penalties for failure to pay the assessments.

A new section 15220.6 will provide for an assessment made by the Security Fund for new self insurers. The assessment will be the New Self Insurers' Fair Share Contribution Fee and will be a pro rata contribution based on the first ten years of the Default Loss Fund.

A new Section 15220.7 will establish appeal procedures on alternative composite deposit assessments and penalties.

A new Section 15220.8 will require the Security Fund to provide detailed accounting reports to the Director on all the assessments and to post all cash collected with the Director. This section will also provide the Security Fund with an option to invest the cash outside the State Treasury. This section also provides for the release of cash to pay workers compensation benefits.

Existing Section 15430 provides for hearing procedures by the Director. This proposal will add the alternative composite deposit assessment as a provision for investigating or holding a hearing by the Director.

DISCLOSURES REGARDING THE PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Determination of Mandate

The Director of Industrial Relations has determined that the proposed regulations do not impose a mandate on local agencies or school districts or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendment will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these regulations do not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California constitution."

Cost or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school are required to be reimbursed in accordance with Government Code Sections 17500 through 17630.

Other Non-discretionary Costs or Savings Imposed on Local Agencies or School Districts

This proposal does not impose non-discretionary cost or savings imposed on local agencies or school districts.

Costs or Savings in Federal Funding to the State

This proposal will not result in costs or savings in federal funding to the state.

Impact on Housing Costs

The Department of Industrial Relations has made an initial determination that the amendment of this regulation will not have a significant effect on housing costs.

Cost Impact on Representative Private Persons or Businesses

The department is not aware of any significant cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Individual private self insurers may find the new deposit assessment to be higher than current costs for providing individual security deposits. However, because of the need to increase the pre-existing deposit shortfall fund, the costs would have increased substantially even if the composite deposit program were not enacted. Even so, any cost increases should be offset by the release or reduction of individually posted security deposits to participating self insurers, thus making other assets available to those employers. In addition, the deposit assessments are expected to be reduced over time. Costs are determined by the Security Fund's Board of Trustees, not the Department of Industrial Relations, pursuant to Labor Code Section 3701.8.

Impact on Business

The Department of Industrial Relations has made an initial determination that the amendment of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California business to compete with businesses in other states.

Small Business Impact

This regulation will have no adverse impact on small business because it does not impose any new requirements on employers nor does it amend any existing requirements impacting small business. In addition, small businesses are not affected by Self Insurance regulations, since small businesses cannot qualify for self insurance and the banks affected by these regulations are not defined as small businesses.

Assessment of Job/Business Creation or Elimination

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, and (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Director must determine that no reasonable alternative has been considered by the agency or that has otherwise been identified and brought to it's attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. No reasonable alternative has been brought to the attention of the Director that would be less effective or less burdensome to affected persons than the proposed action.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Mark Johnson, Manager
Office of Self Insurance Plans
2265 Watt Avenue, Suite 1
Sacramento, CA 95825
916-483-3392
mjohnson@dir.ca.gov

The backup contact person for these inquiries is:

Tina Freese
Office of Self Insurance Plans
2265 Watt Avenue, Suite 1
Sacramento, CA 95825
916-483-3392
tfreese@dir.ca.gov

Questions on the substance of the proposed regulation should be directed to Mr. Johnson.

Please direct requests for copies of the proposed text, the initial statement of reasons, the modified text of the regulations, if any, or any other rulemaking documents to Tina Freese at the above address.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

After the close of the forty-five (45) day public comment period, the Director of the Department may adopt the proposed regulations. As a result of public comments, either oral or written, that are received by the Director regarding this proposal, the Director may determine that changes to the proposed regulation are appropriate. If the Director makes substantive modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at

least 15 days before the Director adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Tina Freese at the above address. The Department will accept further written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF THE PROPOSED REGULATIONS

The Agency has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Office of Self Insurance Plans at 2265 Watt Avenue, Suite 1, Sacramento, California 95825 during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the regulations. Copies of these items are available, upon request, from the Agency Contact Person designated in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Department is required to prepare a Final Statement of Reasons. Once the Department has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy. Requests for copies should be addressed to the Department Contact Person identified in this Notice.

DEPARTMENT INTERNET WEBSITE

The Department maintains an Internet website for the electronic publication and distribution of written material. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at <http://sip.dir.ca.gov>.

TITLE 14. DEPARTMENT OF PARKS AND RECREATION

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Department of Parks and Recreation proposes to amend the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Department proposes to amend the regulations contained in the California Code of Regulations, Title 14, Division 3, Chapter 15, Articles 1 through 8, Sections 4970.00 through 4970.32 pertaining to the Off-Highway Motor Vehicle Recreation Grant and

Cooperative Agreement Program in accordance with the legislative changes in AB 2274, effective January 1, 2003.

PUBLIC HEARING

The Department will hold a public hearing starting at 3 p.m., on Thursday, September 4, 2003, in the Terrace Room of the Clarion Hotel/Mansion Inn, 700 16th Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code section 11125.1, any information presented to the Department during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the department and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relative to the proposed regulatory action to the Department. The written comment period ends at 5:00 P.M., on September 1, 2003. The Department will consider only written comments received at the Department office by that time (in addition to those comments received at the public hearing). The Department requests, but does not require, that persons who submit written comments to the Department reference the title of the rulemaking proposal in their comments to facilitate review. All written comments shall be submitted to the following address:

Department of Parks and Recreation
Off-Highway Motor Vehicle Recreation Division
Attn: Barry Jones, Manager
Grants and Winter Recreation
P.O. Box 942896
Sacramento, California 94296-0001

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Department of Parks and Recreation
Off-Highway Motor Vehicle Recreation Division
1725 23rd Street, Suite 200
Sacramento, California 95816

Written comments may also be sent to the Department via facsimile at the following phone number:

(916) 324-1610

Written comments may also be delivered via e-mail to the following address:

bjone@parks.ca.gov

The back-up contact person regarding the proposed action/text is Lisa McClung, Associate Park and Recreation Specialist, at (916) 445-2721, or e-mail lmcccl@parks.ca.gov.

AUTHORITY AND REFERENCE

AUTHORITY: Public Resources Code (PRC) Sections 5090.02(5), 5090.32(d) and 5090.50(g)

REFERENCE: Public Resources Code (PRC) Sections 5090.23, 5090.24, 5090.32, 5090.35, 5090.50, and 5090.64

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Off-Highway Motor Vehicle Act of 1988 (Public Resources Code Sections 5090.01 et seq.), which established a program that provides for opportunities for off-highway motor vehicle recreation at specified areas throughout the State, has been amended by the legislature to prescribe changes to the procedures for grant application, funding, and monitoring. The amendment is cited in the enabling legislation (AB 2274) as the Off-Highway Motor Vehicle Recreation Act of 2003, hereinafter referred to as "the Act".

The Act requires annual performance audits on all grants to improve program accountability. The Act also authorizes the issuance of grants to educational institutions and nonprofit organizations for certain projects that are designed to sustain a managed off-highway motor vehicle recreation program. The Act further establishes an independent grant category for Off-Highway Vehicle (OHV)-related law enforcement programs.

California Code of Regulations (CCR) Title 14, Division 3, Chapter 15, Sections 4970.00 through 4970.32 are being proposed to be amended to clarify and to make specific the provisions of the Act and to provide appropriate changes to the guidelines and standards for the Off-Highway Motor Vehicle Recreation (OHMVR) Program as follows:

CCR Section 4970.00 provides definitions that clarify terms or are applicable and/or unique to the OHMVR Program. Thirteen definitions are being added to this section to clarify new terms in the Act. Eleven definitions are being amended also to clarify and/or incorporate language provided in the Act. Five definitions are being deleted since they have been superseded by new terminology in the Act; or they are redundant to other terms in the Act; or they do not require clarification.

CCR Section 4970.01 sets forth the reason for the OHMVR Grant and Cooperative Agreement Program. It identifies the types of entities that may participate in the program and what is to be accomplished with funds received from the program. It is being amended

to clarify the reason for the OHMVR Program and the entities that are eligible to participate in the program as provided in the Act.

CCR Section 4970.02 identifies the purpose of a planning project and the components that are required. It is being amended to identify specific types of studies that may possibly be funded by a grant or cooperative agreement.

CCR Section 4970.03 identifies types and eligible costs associated with acquisition projects. It is being amended to incorporate language that further clarifies the intent of the Act and to simplify the fund disbursement procedure.

CCR Section 4970.04 identifies the types of development projects that may be eligible for funding as an OHMVR grant or cooperative agreement. It is being amended to include the identification of major maintenance projects that may be eligible for funding.

CCR Section 4970.05 identifies the different general components of an operation and maintenance project and the specific types of activities that may be considered in such a project. The changes are intended to clarify the definition of a minor maintenance project.

CCR Section 4970.06 identifies the purpose of a resource management project. The changes are intended to clarify amended language in the Act as it applies to resource management projects.

CCR Section 4970.07 identifies the purpose of safety and/or education program projects. It is being amended to clarify amended language in the Act.

CCR Section 4970.08 identifies equipment purchase projects and the types of equipment and/or tools that are eligible for purchase. The changes are intended to clarify the type of insignia that must be displayed on all equipment purchases with OHMVR funds.

CCR Section 4970.09 is a new section that has been added to identify and to describe the types of activities that must be included in a law enforcement project as provided in the Act.

CCR Section 4970.10 is being amended to expand the eligibility to apply for certain types of grants or cooperative agreements to other agencies and organizations as provided in the Act. It is also being amended to include some additional application requirements and to clarify that there is a match requirement for certain agencies and organizations for some of the projects that are eligible for funding.

CCR Section 4970.11 is being significantly amended to specify in detail the application content requirements as well as the resource and enforcement requirements for each type of project.

CCR Section 4970.12 identifies the Project Accomplishment Report. It is being amended to include an additional requirement for local agencies with grant funded OHV facilities.

CCR Section 4970.13 provides that OHMVR grant and cooperative agreement applications must be consistent with applicable planning documents. The changes are intended to clarify the language.

CCR Section 4970.14 is being amended to specify which types of applications require environmental documentation.

CCR Section 4970.15 identifies the requirements of grantees when signing a Project Agreement and receiving OHMVR funds. The changes are intended to clarify grantee requirements and to specify additional requirements.

CCR Section 4970.17 is being amended to eliminate the requirement that the OHMVR Division recommend to the OHMVR Commission the priority of each application that has been evaluated.

CCR Section 4970.18 identifies the OHMVR Commission's role in allocating funds. It is being amended to eliminate the requirement that the Commission allocate funds according to a priority list.

CCR Section 4970.19 discusses how funds allocated for OHMVR grant and cooperative agreement projects are distributed to grantees. It is being amended to clarify and specify grantee requirements in submitting payments.

CCR Section 4970.23 identifies how property acquired or developed by local agencies with OHMVR funds shall be used. The changes are intended to clarify language regarding the use of revenue generated from OHMVR program purchased property.

CCR Section 4970.25 is being amended to clarify the language regarding amendments to project agreements.

CCR Section 4970.27 identifies the role of the OHMVR Commission in the OHMVR Grant and Cooperative Agreement Program. The changes are intended to incorporate new language in the Act that delineates the OHMVR Commission's and the OHMVR Division's responsibilities in the applications review process.

CCR Section 4970.29 is being amended to identify the procedures for the annual performance review process as provided in the Act including applicable timeframes, specific elements to be evaluated, and the contents of the final report.

CCR Section 4970.31 identifies the origin of the Conservation and Enforcement Services Account. It is being amended to replace the term "peace officers" with the term "law enforcement personnel" as provided in the Act.

CCR Section 4970.32 discusses the selection process of applications for funding. It is being amended to further clarify the evaluation criteria to be used.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on representative private persons or businesses: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California

Significant effect on housing costs: None

Affect on small businesses: The Department has determined that there are no cost impacts on small businesses because this is a grant program for local agencies, nonprofit organizations, and educational institutions.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the expressed terms of the proposed action. A copy of the statement of reasons and the proposed

regulations in underline and strikeout form may be obtained upon request. The rulemaking file, and all information on which the proposal is based, is located at the Off-Highway Motor Vehicle Recreation Division, 1725 23rd Street, Suite 200, Sacramento, California, 94296-0001, and may be obtained upon request. Additionally, the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained from the Department's website located at www.ohvweb.parks.ca.gov, at the Grants and Regulations link.

Following the comment period, the Department will adopt the proposed regulations substantially as set forth above without further notice. If the regulation adopted by the Department differs from but is sufficiently related to the action proposed, it will be available to the public for at least 15 days prior to the date of the adoption. Any interest party may obtain a copy of said regulations prior to the date of the adoption by contacting the agency officer named herein.

A Final Statement of Reasons, when available, can be obtained from the agency contact person or Internet at www.ohvweb.parks.ca.gov, at the Grants and Regulations link.

TITLE 15. BOARD OF PRISON TERMS

NOTICE OF PROPOSED REGULATORY ACTION RN 03-04

SUBJECT: *MENTALLY DISORDERED OFFENDER HEARING PANELS*

NOTICE IS HEREBY GIVEN that the Board of Prison Terms (Board) proposes to amend sections (§§) 2576, 2578, and 2580 of Title 15, Division 2, California Code of Regulations (CCR) after considering all comments, objections, and recommendations regarding the proposed action.

AUTHORITY

These regulations are submitted pursuant to the Board's authority under Penal Code (PC) §§ 3052 and 5076.2.

REFERENCE

These regulations are amended to implement, interpret, and/or make specific, PC §§ 2962, 2964, 2966, 2978, and 2980.

PUBLIC HEARING

A public hearing regarding the proposed regulatory action has not been scheduled. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or

her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulations to the Board. *The written comment period on the proposed regulations will close at 5:00 p.m., on September 5, 2003.* All comments must be submitted in writing (by mail, fax, or e-mail) to the Agency Contact Person identified in this Notice by that time in order for them to be considered by the Board.

Comments may be submitted to:

Lori Manieri, Regulations Coordinator
Board of Prison Terms
1515 "K" Street, Sixth Floor
Sacramento, CA 95814
Telephone: (916) 445-5277
Facsimile No.: (916) 322-3475
E-mail: regcomment@bpt.ca.gov

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Penal Code § 3052 vests with the Board the authority to establish and enforce rules and regulations under which prisoners committed to state prisons may be allowed to go upon parole outside of prison when eligible for parole.

These regulatory amendments were adopted by the Board (on June 10, 2003) and subsequently approved by the Office of Administrative Law on June 24, 2003, on an emergency basis. The regulations took effect on July 1, 2003. To ensure that these changes remain in effect the Board must complete the rulemaking process within 120 days.

Penal Code § 2960 provides in part as follows: "[T]here are prisoners who have a treatable, severe mental disorder that was one of the causes of, or was an aggravating factor in the commission of the crime for which they were incarcerated. . . ." The Legislature concluded that " . . . in order to protect the public from those persons it is necessary to provide mental health treatment until the severe mental disorder . . . is in remission and can be kept in remission."

Penal Code § 2962 provides in part as follows: "As a condition of parole, a prisoner who meets the specified criteria set out in this section shall be required to be treated by the State Department of Mental Health [DMH]. . . ."

Penal Code § 2966 provides in part as follows: "A prisoner may request a hearing before the Board of Prison Terms and the Board shall conduct a hearing if so requested, for the purpose of proving that the prisoner meets the criteria in [PC] section 2962."

Title 15, CCR §§ 2576, 2578, and 2580, respectively, define the Certification, Placement, and Discharge Review/Annual Review Hearing processes. The Board conducts the PC § 2962 Certification Hearing to determine whether the prisoner/parolee meets the criteria necessary before imposing DMH treatment as a condition of parole.

CCR § 2580 provides that the parolee is entitled to an Annual Review Hearing if the CCR § 2535 review recommends that the parolee be retained on parole and to reaffirm the special parole condition requiring DMH treatment.

Amendments

The proposed amendments will delete language indicating that two Deputy Commissioner panels shall conduct the specified Mentally Disordered Offender hearings. The newly proposed language will instead specify that the hearing panel shall consist of *one* Deputy Commissioner.

Proposed nonsubstantive amendments have been made-replacing “section” with the section symbol (“§”). This will conform to existing format and CCR § 2000(a)(8) which specifies that the symbol (§) refers to Board rules contained in Title 15, Division 2 of the regulations.

LOCAL MANDATES

The Board has determined that the proposed action impose no mandate upon local agencies or school districts.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district which must be reimbursed in accordance with Government Code §§ 17500 through 17630: *None*
- Cost or savings to any state agency:
The effect of this regulatory change for the current Fiscal Year (FY) 2002–2003 resulted in savings to the Board of \$309,000. Savings to the Board for FY 2003–2004 and subsequent fiscal years will be in the amount of \$460,000.
- Other non-discretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

EFFECT ON HOUSING COSTS

The Board has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Board has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments will not affect small businesses because they apply only to inmates and parolees of California penal institutions.

ASSESSMENT OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Board has determined that the proposed amendments to regulations will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulatory action.

CONTACT PERSON

Please direct requests for copies of the initial statement of reasons, the proposed text of the regulations, or other information upon which the rulemaking is based to:

Lori Manieri, Regulations Coordinator
Board of Prison Terms
1515 “K” Street, Sixth Floor
Sacramento, CA 95814
Phone No.: (916) 445-5277
Fax: (916) 322-3475

In any such inquiries, please identify the action by using the **Board’s regulation control number RN 03-04.**

Note: In the event the contact person is unavailable, inquiries should be directed to the following backup contact person at the same address as noted above: **Denise Schmidt, 323-0944.**

Questions on the substance of the proposed regulatory action may be directed to: **Marc Remis, 322-6729.**

Website Access: Materials regarding this proposal can be accessed from the Board’s website at: www.bpt.ca.gov.

AVAILABILITY OF THE INITIAL
STATEMENT OF REASONS AND
TEXT OF PROPOSED REGULATIONS

The Board has prepared and will make available the initial statement of reasons and the text of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all the information on which the proposal is based, is available to the public upon request from the agency contact person indicated above. Additionally, this notice of proposed action, the initial statement of reasons, and the proposed text of the regulations are available on the Board's Internet Home Page at www.bpt.ca.gov

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Following the preparation of the final statement of reasons, copies may be obtained from the Board contact person, as indicated above, or at the Board's Internet Home Page at www.bpt.ca.gov.

AVAILABILITY OF CHANGES TO
PROPOSED TEXT

After considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Board adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

GENERAL PUBLIC INTEREST

DEPARTMENT OF
HEALTH SERVICES

TITLE: PREVENTIVE HEALTH AND HEALTH
SERVICES BLOCK GRANT FOR
FEDERAL FISCAL YEAR (FFY) 2004

ACTION: NOTICE OF HEARINGS FOR
PROPOSED FUNDINGS

SUBJECT

The United States Department of Health Services has made funds available to the California Department of Health Services (CDHS) for the development and implementation of programs and activities to decrease

the morbidity and mortality that results from preventable disease and injury. The purpose of this hearing is to discuss and receive comments from the state's recommendations for the use of these funds during State Fiscal Year 2002–2003 (FFY 2003).

PUBLIC HEARING PROCESS

Notice is hereby given that the CDHS will hold a public hearing commencing at 9:00 a.m. on Tuesday, September 2, 2003 in Room 74-369 of 1616 Capital Avenue, Sacramento, California, at which time any person may present statements orally or in writing relevant to the action described in this notice. The Chronic Disease Control Branch, CDHS, 1616 Capital Avenue, MS 1702, P.O. Box 942732-7320 must receive any written statements or arguments by 5:00 p.m., Tuesday, September 2, which is hereby designated as the close of the written comment period. It is requested, but not required, that written statements or arguments be submitted in triplicate.

CONTACT

Inquiries concerning the action described in this notice may be directed to Ms. Marcia Levy Rosenstein, Prevention 2010 Coordinator, Chronic Disease Control Branch, at (916) 552-9960. In any such inquiries, please identify the action by using the Department Control Letters "PHHSBG."

AVAILABILITY OF INFORMATION
FOR REVIEW

The State Plan will be available for review at 1616 Capital Avenue, Sacramento, California at the Security Guard's Desk, from 9:00 a.m. to 5:00 p.m. July 18, 2003 through September 2, 2003.

FISH AND
GAME COMMISSION

Notice of Proposed Changes in Regulations

(Continuation of California Notice Register 2003,
No. 22-Z, Meeting of August 2, 2003.)

NOTE: See Updated Informative Digest changes shown in **bold face** type.

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 1050, 7923, 8026, 9154 and 9055 of the Fish and Game Code and to implement, interpret or make specific sections 1050, 4850, 7852.2, 7857, 7923, 8026, 9054 and 9055 of said Code, proposes to amend sections 120.7 and 190, Title 14, California Code of Regulations, relating to the sea urchin fishery and fishing activity records, respectively.

UPDATED INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Existing regulations prohibit anyone without a valid sea urchin diving permit from diving from a sea urchin vessel during commercial fishing operations. The proposed regulatory changes would clarify that the Department may authorize non-permitted divers to dive from a sea urchin vessel for the purposes of sea urchin management or research.

Existing regulations specify the conditions that govern sea urchin diving permittees when they are fishing for sea urchins.

In order to provide an economic incentive to divers to participate in a cooperative program to gather data for a long-term time series to assist in the stock assessment of sea urchins, the proposed regulations would, in addition, allow the department to authorize a sea urchin diving permit holder to take, possess, land and/or sell red sea urchins during a closed season or in a closed area, subject to terms and conditions the department may specify. Any data collected during fishing activity conducted under this authorization shall be provided to the department.

Existing regulations require applicants for renewal of sea urchin diving permits to have made at least 20 landings of at least 300 pounds each in one of the two immediately preceding permit years.

The proposed regulatory changes would repeal that minimum landing requirement for permit renewal.

Existing regulations establish the deadlines for late renewal of a sea urchin diving permit.

The proposed regulatory changes would add one day to that deadline to conform to statute.

Existing regulations establish the number of new sea urchin permits to be made available when either more than or less than 300 permits are renewed by August 1 of each year, but do not specify how many are available when exactly 300 permits are renewed.

The proposed regulatory changes would clarify that when the number of renewed permits is 300 no new permits would be available.

Existing regulations provide that any person who held a valid abalone diving permit in the 1996–97 or 1997–98 license year is eligible to apply for any new sea urchin diving permits that may become available each year.

The proposed regulatory changes would repeal that provision.

Existing regulations do not specify where or when applications for any new sea urchin diving permits that may become available should be submitted.

The proposed regulatory changes would clarify when and where they shall be sent.

Existing regulations provide that any person who has possessed a sea urchin crewmember permit for the two immediately preceding permit years may apply for any new sea urchin diving permits that may become available. If there are more applicants than permits available, a drawing will be held to select the successful applicants. All applicants have an equal opportunity of being selected in the drawing.

The proposed regulatory changes would provide that any person who has possessed a crewmember permit for more than the required two years would be entered into the drawing one additional time for each year above the minimum two years that the applicant has possessed a crewmember permit, in any drawing held for new permits, up to a maximum of five entries in any drawing (for any person who has had a crewmember permit for seven or more years).

Existing regulations specify that any drawing held to issue new sea urchin diving permits will be held on the Wednesday nearest August 15 of each year.

The proposed regulatory changes would simplify that date to specify the drawing, if needed, would be held on the third Wednesday in August of each year.

Existing regulations provide that the season for red sea urchin fishing in May and September is open Monday, Tuesday, Wednesday and Thursday, except closed during the second full week; is open in June and August on Monday, Tuesday and Wednesday, except closed the second full week; and in July, north of the San Luis Obispo—Monterey county line is closed and that south of that line the season is open only on Monday and Tuesday, except closed for the second full week.

The proposed regulatory changes provide three options that would recast those open days from May to September.

All options would repeal some or all of the second full week closures in each month.

Option one would also make a uniform open season of Monday, Tuesday and Wednesday in May, June, August and September and a uniform statewide open season of Monday and Tuesday in July.

Option two would retain the existing four days per week open season in May and September and the existing three days per week open season in June and August and make a uniform statewide two days per week open season in July.

Option three would retain the existing open season in May and September in southern California (south of the Monterey-San Luis Obispo county line) while in northern California (north of the Monterey-San Luis Obispo county line) the second full week closure would be repealed and the days open for fishing would be reduced from Monday, Tuesday,

Wednesday and Thursday to only Monday, Tuesday and Wednesday. In June and August the second full week closures would be repealed statewide and fishing days (Monday, Tuesday and Wednesday) would remain the same. In July the second full week closure in southern California and the full month closure in northern California would be repealed so fishing would be open statewide on Monday and Tuesday.

The Commission could adopt a single option or any part or parts of one or more of the three options in combination for the final regulations.

Existing regulations (subsection (n) of Section 120.7, Title 14, CCR) require sea urchin fishing log books to be sent to a Department office on or before the fifth day of each month. This requirement is in conflict with Section 190, Title 14, CCR that requires all fishing activity records to be submitted on or before the 10th day of the month following the month to which the records pertain.

The proposed regulatory changes would conform subsection 120.7(n) to Section 190.

Existing regulations require fishing activity records to be submitted on form DFG-120.7, October 1987.

The proposed regulatory changes would update the version of form DFG-120.7 to reflect the most recent version (DFG 120.7(5/99)), and incorporate that form by reference.

Existing regulations have several subsection numbering errors, typographic errors and a reference to the Department's former Long Beach office.

The proposed regulatory changes would correct the numbering errors and the reference to the former Long Beach office.

Section 190, Title 14, CCR contains a mailing address for the return of fishing activity records that is no longer valid.

The proposed regulatory changes would correct that mailing address.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in The Westin Long Beach, 333 E. Ocean Boulevard, Long Beach, California on Saturday, August 2, 2003 at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 25, 2003 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than August 2, 2003 at the hearing in Long Beach, CA. E-mail comments must include the true name and mailing address of the commentator.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking

file), are on file and available for public review from the agency representative, John M. Duffy, Assistant Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to John M. Duffy or Sherrie Koell at the preceding address or phone number. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at http://www.dfg.ca.gov/fg_comm.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein. If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Each sea urchin diver and processor is considered a business. The proposed regulatory changes will repeal a requirement that each permittee harvest at least 6,000 pounds of sea urchins every other year to renew their permit, but will not otherwise limit their ability to harvest that amount of sea urchins. The proposed regulatory changes will provide both sea urchin divers and sea urchin processors greater flexibility in managing the harvest and sale of sea urchins during the months of May through September.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/ Savings in Federal funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PROPOSITION 65

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (Proposition 65)

NOTICE TO INTERESTED PARTIES

REQUEST FOR COMMENT ON PROPOSED LISTING OF NICKEL COMPOUNDS AS KNOWN TO CAUSE CANCER Extension of Public Comment Period

On June 6, 2003, the Office of Environmental Health Hazard Assessment (OEHHA) published a notice in the *California Regulatory Notice Register* (Register 2003, No. 23-Z) requesting information which may be relevant to the evaluation of nickel

compounds proposed for listing by operation of law based on the Labor Code Section 6382(b)(1) and (d). The comment period was scheduled to close on Monday, July 7, 2003. OEHHA has received a request to extend the comment period for the proposed listing of nickel compounds to allow for the submittal of complete and relevant information. OEHHA hereby extends the public comment period to 5 p.m., Monday, July 28, 2003.

Comments should be sent in triplicate, along with any supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be hand-delivered to Ms. Oshita at the Office of Environmental Health Hazard Assessment at the same address. **In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered or sent by FAX) by 5:00 p.m. on Monday, July 28, 2003.**

RULEMAKING PETITION DECISIONS

DEPARTMENT OF REAL ESTATE

July 1, 2003

ROSE POTHIER, Esq.
Pothier & Associates
2122 North Broadway
Santa Ana, CA 92706

Dear Ms. Pothier:

Your letter dated June 16, 2003 requests the Department of Real Estate to consider instituting a rule that requires employing brokers to notify the Department of the employment of persons licensed as real estate brokers. In essence, you are proposing the adoption of a new Section in the Regulations of the Real Estate Commissioner (Title 10, California Code of Regulations). That new Section would most likely appear in Article 4, commencing with Section 2720. The Real Estate Commissioner is authorized by Section 10080 of the Business and Professions Code to

adopt, amend or repeal regulations, including Article 4, Title 10, California Code of Regulations. For the reasons stated below, the Department must deny your request for a regulation at this time.

The Department of Real Estate Rulemaking Calendar was filed with the Office of Administrative Law as required by Section 11017.6 of the Government Code by January 30, 2003. Your suggested change to the Regulations of the Real Estate Commissioner was not included in the 2003 Rulemaking Calendar.

Executive Order W-144-97 provides, in part,

“State agencies shall not issue new regulations unless they are first published in the annual Regulatory Overview and Rulemaking Calendar, unless otherwise required by state or federal law or as required by a Declaration of a State of Emergency, Executive Order, or by the need to protect immediate public health, safety, and welfare. Agencies proposing to issue new regulations that are not first published in the annual Regulatory Overview and Rulemaking Calendar shall provide a statement to the Cabinet Secretary documenting the requirement for such a regulation.”

As you can see, the ability of a state Department to adopt or amend Regulations is effectively limited to those included in the Rulemaking Calendar filed on January 30 of any given year. Since your suggested change was not in that Calendar, this Department will not be able to act upon your request.

Your suggestion has considerable merit and collecting and making such employment information available would be of benefit to real estate licensees, employees of this Department and members of the public generally. However, I am informed that the collection and storage of that information will require a major reworking of the Department's Enterprise Information System as well as a change to the Regulations. Any activity requiring considerable additional funding or additional staffing is not likely to occur given the financial uncertainty facing the State of California. We will retain your proposal for possible consideration in the future if circumstances permit.

For purposes of Section 11340.7 of the Government Code, Counsel Larry Alamao is designated as the Department's contact person. Mr. Alamao may be reached at (916) 227-0789. Also, for purposes of Section 11340.7, any interested person may obtain a copy of your request from this Department.

Sincerely,

Paula Reddish Zinnemann
Real Estate Commissioner

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD

Enhanced Vapor Recovery Emergency Regulation

This emergency action will continue a delay in the operative date of new certification procedures originally scheduled to apply on April 1, 2003, in order to allow additional time for manufacturers of vapor recovery equipment to develop products that will meet these technology forcing standards.

Title 18

California Code of Regulations

AMEND : 94011

Filed 07/03/03

Effective 07/03/03

Agency Contact:

Diane M. Johnston (916) 322-2884

BOARD OF CHIROPRACTIC EXAMINERS

Continued Jurisdiction of a License

This action repeals an inaccurate reference to the Board's continued jurisdiction over a cancelled license.

Title 16

California Code of Regulations

AMEND : 355.1

Filed 07/07/03

Effective 08/06/03

Agency Contact:

Lavella Matthews (916) 263-6465

BOARD OF CHIROPRACTIC EXAMINERS

Unprofessional Conduct

The regulatory action deals with unprofessional conduct.

Title 16

California Code of Regulations

AMEND : 317

Filed 07/03/03

Effective 08/02/03

Agency Contact:

Lavella Matthews (916) 263-6465

BOARD OF CHIROPRACTIC EXAMINERS

Criteria for Rehabilitation

In this regulatory action, the Board of Chiropractic Examiners adopts a regulation setting forth the "criteria for rehabilitation" applicable to the consideration of a denial, suspension, or revocation of a license to practice chiropractic.

Title 16

California Code of Regulations

ADOPT : 326

Filed 07/07/03

Effective 08/06/03

Agency Contact:

Lavella Matthews (916) 263-6465

BOARD OF GOVERNORS, CALIFORNIA

COMMUNITY COLLEGES

Staff

The Board of Governors, California Community Colleges, is amending section 51023.5 of title 5, California Code of Regulations. This amendment was filed with the Secretary of State's Office by the Board of Governors on May 16, 2003. The amendment is exempt from review by the Office of Administrative Law pursuant to Education Code section 70901.5.

Title 5

California Code of Regulations

AMEND : 51023.5

Filed 07/03/03

Effective 08/02/03

Agency Contact:

Renee Brouillette (916) 322-4145

CALIFORNIA INTEGRATED WASTE

MANAGEMENT BOARD

Specifying the Amounts of Civil Penalties Against Waste Tire Haulers

The emergency regulatory action deals with civil penalties that may be imposed administratively for waste and used tire haulers.(Prior OAL File 03-0227-03E.)

Title 14

California Code of Regulations

AMEND : 18464, 18465

Filed 07/07/03

Effective 07/07/03

Agency Contact: Wendy Breckon (916) 341-6068

COMMISSION ON PEACE OFFICER

STANDARDS AND TRAINING

Racial Profiling Training Minimum Standards

Existing regulation provides that satisfaction of the racial profiling training course will be accomplished by completing the regular basic course after July 1, 2003. This emergency regulatory action will revise

this provision to provide that racial profiling training will be included in the Basic Course after January 1, 2004.

Title 11

California Code of Regulations

AMEND : 1081

Filed 07/03/03

Effective 07/03/03

Agency Contact: Leah Cherry (916) 227-3891

COMMISSION ON PEACE OFFICER

STANDARDS AND TRAINING

Driver Training Perishable Skills Requirement

This regulatory action amends the requirements for driver training perishable skills.

Title 11

California Code of Regulations

AMEND : 1005

Filed 07/08/03

Effective 08/07/03

Agency Contact: Leah Cherry (916) 227-3891

DEPARTMENT OF CORPORATIONS

Limited Offering Exemption Notice of Transaction

In this emergency regulatory action relating to the Corporate Securities Law of 1968, the Department of Corporations provides for the electronic filing of notices under the "limited offering exemption" of Corporations Code section 25102(f).

Title 10

California Code of Regulations

AMEND : 260.102.14

Filed 07/03/03

Effective 07/04/03

Agency Contact: Kathy Womack (916) 322-3553

DEPARTMENT OF CORRECTIONS

Parole Hearings Division

This is a nonsubstantive action repealing regulations from the obsolete Parole Hearings Division. Pursuant to Penal Code section 3000, the Board of Prison Terms is now the parole authority. These regulations have previously been transferred near-verbatim to BPT's regulations in Division 2 of Title 15. The Department of Corrections no longer has authority for these regulations.

Title 15

California Code of Regulations

REPEAL : 3901.7.4, 3901.9.1, 3901.9.4, 3901.17.1, 3901.17.2, 3901.17.3, 3901.17.4, 3901.17.5, 3901.19.1, 3901.19.2, 3901.19.3, 3901.19.4, 3901.19.5, 3901.19.6, 3901.21.3, 3901.35.1, 3901.35.2

Filed 07/08/03

Effective 07/08/03

Agency Contact:

Ann Cunningham (916) 322-9690

DEPARTMENT OF FOOD AND AGRICULTURE**Movement of****Movement of Cattle Into California**

This emergency regulatory action sets forth requirements and conditions for the importation of cattle from Mexico in order to prevent the introduction of and spreading of bovine brucellosis and bovine tuberculosis.

Title 3

California Code of Regulations

ADOPT : 755, 755.1, 755.2, 755.3, 755.4, 755.5, 755.6, 756, 756.1, 756.2, 756.3, 757, 758, 758.1, 759
AMEND : 753.2 REPEAL : 757, 759, 759.1, 759.2, 759.3, 759.4, 759.5

Filed 07/03/03

Effective 07/03/03

Agency Contact: Nancy Grillo (916) 651-7280

DEPARTMENT OF FOOD AND AGRICULTURE**Oak Mortality Disease Control**

This Certificate of Compliance requires portions of canyon live oak, and plants and plant parts (except seed) of Western star flower to be included as regulated articles and commodities for Phytophthora ramorum, the fungus which causes oak mortality disease.

Title 3

California Code of Regulations

AMEND : 3700(c)

Filed 07/08/03

Effective 07/08/03

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF INSURANCE**Updated Zip/Statistical Codes for CAARP Manual**

The Department of Insurance is amending section 2498.2 of title 10, California Code of Regulations, updating the National Zip Code Directory reference from the 1982 revision to the 2003 revision. Further, they are changing an address in the first paragraph from the Superintendent of Documents, Government Printing Office, to the National Customer Support Center of the United States Postal Service.

Title 10

California Code of Regulations

AMEND : 2498.2

Filed 07/03/03

Effective 08/02/03

Agency Contact:

Michael Riordan (415) 538-4226

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD****Crane Operator Qualification and Certification**

This rulemaking separates existing crane operator qualifications and certifications into two distinct sections. The existing section applies to all cranes with some exceptions. The new section addresses mobile cranes and tower cranes.

Title 8

California Code of Regulations

ADOPT : 5006.1 AMEND : 5006

Filed 07/03/03

Effective 08/02/03

Agency Contact: Marley Hart (916) 274-5721

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD****Structural Steel Erection Safety Standards**

Federal OSHA promulgated regulations addressing safety standards for steel erection in its final rule published January 18, 2001 as part of 29 Code of Federal Regulations, Subpart R, sections 1926.750 to 1926.761, which became effective January 18, 2002. Pursuant to Section 142.3 of the Labor Code, the California Occupational Safety and Health Standards Board adopted regulations for California "substantially the same" as the federal regulations which became effective on May 1, 2002. The current regulatory action revises these state regulations to address comments received on them and to address multiple rigging procedures, controlled decking zone procedures, shinning of columns, and other matters.

Title 8

California Code of Regulations

AMEND : 1635, 1710

Filed 07/03/03

Effective 08/02/03

Agency Contact: Marley Hart (916) 274-5721

STATE ALLOCATION BOARD**Leroy F. Greene School Facilities Act of 1998—
April 2003 : UOG**

This action amends existing emergency provisions governing the processing of New Construction Grant Fund requests for projects accepted by the Division of the State Architect on or before January 22, 2003 and adopts new provisions governing similar projects accepted by the Division of the State Architect after January 22, 2003.

Title 2

California Code of Regulations

ADOPT : 1859.77.3 AMEND : 1859.2, 1859.77.2

Filed 07/07/03

Effective 07/07/03

Agency Contact: Lisa Jones (916) 322-1043

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN MARCH 05, 2003
TO JULY 09, 2003**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

07/01/03 AMEND: 1038
05/08/03 REPEAL: 121, 122, 123, 124, 125, 125.5, 126, 127, 128, App. A (Form 1013)

Title 2

07/07/03 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2
06/19/03 AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145
06/16/03 ADOPT: 18530.2
06/13/03 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859.171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1
06/12/03 AMEND: 1859.77.2
06/12/03 AMEND: 1555
06/12/03 ADOPT: 18329.5
06/10/03 ADOPT: 18702.5 AMEND: 18702, 18702.1
06/04/03 ADOPT: 649.23, 649.24, 649.25
05/08/03 AMEND: 2970
05/07/03 ADOPT: 471.1 AMEND: 470, 470.1, 471, 472, 17502, 17520
05/07/03 AMEND: 547.80, 17030, 17111, 17112, 17151 REPEAL: 547.81, 17434
05/01/03 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153
04/28/03 AMEND: 1897
04/21/03 ADOPT: 1185.02, 1186 AMEND: 1181.1, 1183, 1183.01, 1185, 1185.01, 1185.02, 1185.1, Article 6 title. REPEAL: 1185.2, 1186, 1186.1, 1186.2, 1186.3, 1188.5
04/10/03 AMEND: 18313
04/09/03 ADOPT: 18550.1 AMEND: 18225.7

04/04/03 AMEND: 599.885
04/03/03 ADOPT: 23000, 23100, 23100, 23200, 23300
04/03/03 AMEND: 599.515
04/01/03 AMEND: 52.4
03/27/03 ADOPT: 18754
03/24/03 AMEND: 321

Title 3

07/08/03 AMEND: 3700(c)
07/03/03 ADOPT: 755, 755.1, 755.2, 755.3, 755.4, 755.5, 755.6, 756, 756.1, 756.2, 756.3, 757, 758, 758.1, 759 AMEND: 753.2 REPEAL: 757, 759, 759.1, 759.2, 759.3, 759.4, 759.5
06/26/03 AMEND: 3417(b)
06/12/03 AMEND: 3423(b)
06/03/03 AMEND: 3417
06/02/03 REPEAL: 796
05/28/03 ADOPT: 1392.12
05/22/03 AMEND: 6860
05/19/03 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784
05/05/03 ADOPT: 1310, 1310.1, 1310.2, 1310.3
04/24/03 AMEND: 6000, 6710
04/21/03 AMEND: 3417(b)
04/21/03 AMEND: 3423(b)
04/15/03 AMEND: 3423(b)
04/08/03 ADOPT: 760, 760.1, 760.2, 760.3, 760.4, 760.5, 760.6, 760.7, 760.9 REPEAL: 760, 765
04/07/03 AMEND: 3417(b)
04/03/03 AMEND: 300(c)
04/01/03 AMEND: 3417(b)
03/26/03 ADOPT: 797
03/20/03 AMEND: 3700(c)

Title 4

06/26/03 AMEND: 12100, 12101, 12104, 12105, 12120, 12122, 12124, 12126, 12128, 12130, 12132, 12140, 12142
06/16/03 ADOPT: 12370
05/22/03 ADOPT: 12300, 12301, 12302, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12301, 12303, 12309
04/09/03 AMEND: 1467
03/06/03 AMEND: 8072, 8074

Title 5

07/03/03 AMEND: 51023.5
06/20/03 ADOPT: 13075
06/16/03 ADOPT: 9531, 9532
05/15/03 ADOPT: 24000, 24001, 24002, 24003, 24004, 24005, 24006, 24007, 24008, 24009

CALIFORNIA REGULATORY NOTICE REGISTER 2003, VOLUME NO. 29-Z

05/01/03 ADOPT: 1218.5 AMEND: 1200, 1204,
1209, 1211, 1212, 1215, 1216, 1217,
1217.5, 1219, 1219.5, 1220, 1225
04/21/03 ADOPT: 11990
04/15/03 AMEND: 18106
04/14/03 AMEND: 11510, 11512.5(a)(11), 11517
REPEAL: 11510(j)
04/07/03 ADOPT: 80020.1
04/03/03 ADOPT: 11971, 11972, 11973, 11974,
11975, 11976, 11977, 11978, 11979,
11980
03/18/03 AMEND: 20438, 20440
03/12/03 ADOPT: 53207

Title 7

06/03/03 AMEND: 201, 202, 203, 204, 208, 209,
210, 211, 213, 214, 215, 216, 217, 218,
219, 220, 221, 222

Title 8

07/03/03 AMEND: 1635, 1710
07/03/03 ADOPT: 5006.1 AMEND: 5006
06/26/03 AMEND: 421, 422, 422.1, 423, 424.1,
424.2, 424.3, 424.4, 425.1, 425.2, 426,
427.1, 427.2, 427.3, 427.4, 428
06/12/03 ADOPT: 3195. 3195.2, 3195.3, 3195.4
3195.5, 3195.6, 3195.7, 3195.8, 3195.9,
3195.10, 3195.11, 3195.12, 3195.13,
3195.14
06/09/03 AMEND: 344.30
06/02/03 AMEND: 4821
05/30/03 ADOPT: 15220, 15220.1, 15220.2,
15220.3, 15220.4, 15220.5, 15220.6,
15220.7, 15220.8 AMEND: 15201,
15210, 15210.1, 15210.2, 15216, 15430
05/29/03 AMEND: 5161, 5164
05/27/03 AMEND: 5214
05/20/03 AMEND: 9785, 9785.2, 9785.3, 9786,
9787
05/07/03 ADOPT: 20400, 20401, 20402, 20403,
20404, 20405, 20406, 20407, 20408,
20450
05/01/03 AMEND: 10106.1, 10107.1, 10111.2
05/01/03 AMEND: 10122, 10133.15, 10133.16
04/09/03 AMEND: 15210
04/07/03 AMEND: 15251
03/26/03 AMEND: 3279, 3280

Title 9

06/19/03 ADOPT: 1840.112 AMEND: 1830.215
06/05/03 ADOPT: 880, 881, 882, 883, 884, 885,
886, 890, 891, 892
05/20/03 ADOPT: 7149.1 AMEND: 7174
03/25/03 AMEND: 821

Title 10

07/03/03 AMEND: 2498.2
07/03/03 AMEND: 260.102.14
06/19/03 AMEND: 5.2001

06/10/03 ADOPT: 310.156.3 AMEND: 310.114.1
06/05/03 AMEND: 2695.2
06/03/03 AMEND: 2509.40, 2509.41, 2509.42,
2509.43, 2509.44, 2509.45, 2509.46,
2509.47, 2509.48, 2509.49, 2509.50,
2509.51, 2509.52, 2509.53, 2509.54,
2509.55, 2509.56, 2509.57, 2509.58,
2509.59, 2509.60, 2509.61, 2509.62,
2509.63, 2509.64, 2509.65, 2509.66, 250
06/03/03 ADOPT: 2615, 2615.1, 2615.2, 2615.3
AMEND: 2698.99.10, 2698.99.11,
2698.99.12, 2698.99.13
05/20/03 AMEND: 2699.100, 2699.200, 2699.201,
2699.202, 2699.205, 2699.206, 2699.207,
2699.210, 2699.300, 2699.301, 2699.303,
2699.304, 2699.400
05/06/03 ADOPT: 2498.6
04/29/03 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4,
2192.5, 2192.6, 2192.7, 2192.8, 2192.9,
2192.10, 2192.11, 2192.12, 2192.13 RE-
PEAL: 01-0905-01E, 02-0129-02 EE,
02-0531-04 EE
04/24/03 ADOPT: 2278, 2278.1, 2278.2, 2278.3,
2278.4, 2278.5
04/24/03 ADOPT: 2695.85 AMEND: 2695.1,
2695.2, 2695.3, 2695.4, 2695.5, 2695.6,
2695.7, 2695.8, 2695.9, 2695.10,
2695.11, 2695.12, 2695.14
04/17/03 AMEND: 5002
03/27/03 AMEND: 260.211, 260.211.1
03/20/03 ADOPT: 2187.4
03/20/03 ADOPT: 2698, 9910, 2698.99.11,
2698.99.12, 2698.99.13
03/13/03 ADOPT: 2020, 2021 AMEND: 250.51
03/10/03 ADOPT: 2670.1, 2670.2, 2670.3, 2670.4,
2670.5, 2670.6, 2670.7, 2670.8, 2670.9,
2670.10, 2670.11, 2670.12, 2670.13,
2670.14, 2670.17, 2670.18, 2670.19,
2670.20, 2670.21, 2670.22, 2670.23,
2670.24,
03/10/03 ADOPT: 2175, 2175.1, 2175.2, 2175.3,
2175.4, 2175.5, 2175.6, 2175.7, 2175.8,
2175.9, 2175.10, 2176, 2176.1, 2176.2,
2176.3, 2176.4, 2177, 2177.1, 2177.2,
2177.3, 2177.4, 2177.5, 2177.6, 2177.7,
2177.8, 2177.9, 2177.10, 2177.11,
2177.12, 2177.13, and 2177
03/06/03 AMEND: 2130.3

Title 11

07/08/03 AMEND: 1005
07/03/03 AMEND: 1081
06/26/03 AMEND: 1002
06/06/03 AMEND: 1053
06/02/03 AMEND: 1003
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